IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 6747 of 2005

Between:

Toddy Tappers Co.Operative Society Katekanpally Vg. Dharmaram (M) Karimnagar District, Rep. by its President Chepuri Srinivas Goud S/o. Narayana, aged 28 yrs, Occ: Toddy Tapper, R/o. Katikenpalli Vg., Dharmaram (M), Karimnagar District.

..... PETITIONER

AND

1 The Prohibition & Excise Commissioner, Government of Andhra Pradesh, Hyderabad.
2 The Prohibition & Excise Superintendent, Karimnagar.
3 The Sub-Divisional Prohibition & Excise Officer, Peddapalli, Karimnagar District,
4 The Prohibition & Excise Inspector, Peddapalli, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of writ of Mandamus directing the respondent No.2 herein to consider and pass appropriate orders on the representation dt. 2-12-2004 which was filed for grant of 'B' license to enable the petitioner society to conduct the toddy business at Banjerapalli, Perkapalli and Lambadi Thanda which are the hamlets of Katikenapalli Revenue Village from the present excise year as per the excise toddy policy issued by the Government for the year 2004-05 vide G.O.Ms.No. 767 Revenue (Ex.II) Dept. dt. 29-9-2004 by duly declaring the inaction on the part of the respondents in not taking any steps for disposing the representation filed by the petitioner society for grant of 'B' license as illegal, arbitrary and contrary to the provisions of A.P. Excise Act and also contrary to the true intent of the guidelines issued by the Govt. for the benefit of the toddy tappers and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner:MR.V.RAVI KIRAN RAO

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court at the stage of admission made the following :

ORAL ORDER:

Heard both sides. Perused the material placed before me.

Petitioner, who is a licenced Toddy Tappers Co-Operative Society (TTCS), made an application to the second respondent for grant of 'B' licence to it. It seems, in that connection, respondents 3 and 4 have also made some recommendations and in spite of which, the case of the petitioner has not been considered.

In that view of the matter, the writ petition is closed with a direction to the second respondent to consider the representation dated 2-12-2004 said to have been made by the petitioner society for grant of B licence to it in accordance with law, keeping in view the recommendations made by the respondents 3 and 4 and also any other material relied on by the petitioner, within eight weeks from the date of receipt of a copy of this Order. No costs.

11-04-2005

Note:

Issue CC in two days

B/0 kvsn

To

1 The Prohibition & Excise Commissioner, Government of Andhra Pradesh, Hyderabad.

2 The Prohibition & Excise Superintendent, Karimnagar.

3 The Sub-Divisional Prohibition & Excise Officer, Peddapalli, Karimnagar District,

4 The Prohibition & Excise Inspector, Peddapalli, Karimnagar District.

5 Two CCs to GP for Proh. & Excise, High Court buildings, Hyderabad.

6 Two CD copies.